

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Plaintiff,

v.

2120 TIEBOUT LLC, et al.,

Defendants.

23-CV-9445 (DEH)

ORDER

DALE E. HO, United States District Judge:

An order issued January 31, 2024, appointed Trigild Inc., through its principal Ian Lagowitz, Receiver of the properties at issue in this foreclosure action. *See* ECF No. 52. Pursuant to Plaintiff's agreements with Defendants, upon certain events of default, Plaintiff could seek appointment of a receiver to manage the properties. The January 31, 2024, order enforced these agreements and "empowered [Trigild] to carry out all the usual powers and duties of receivers in foreclosure actions." *See id.* at 4.

On March 5, 2024, Plaintiff filed an application for emergency relief relating to Defendants' alleged non-compliance with the receivership order. In substance, the application states that Defendants refuse to turn over approximately \$1.7 million in rents collected prior to entry of the receivership order, as well as the security deposits and February rents for one of the buildings, and that the Receiver needs these funds to pay electrical and water bills, municipal violations, and repair costs for significant deferred maintenance issues. *See* Ian Lagowitz Decl., ECF No. 64. Plaintiff requests an order compelling Defendants to turn over all rents and security deposits in their possession. *See* Proposed Order, ECF No. 62.

It is hereby **ORDERED** that Defendants shall file any opposition papers to Plaintiff's application by **March 11, 2024**.

It is further **ORDERED** that the parties shall appear for a conference regarding the application on **March 13, 2024, at 2:00 P.M. EST.** Counsel for the parties shall appear in person in Courtroom 905 of the Thurgood Marshall United States Courthouse at 40 Foley Square, New York, New York, 10007. Any other person wishing to attend the conference may attend telephonically. Persons interested in attending telephonically shall contact Chambers at HoNYSDChambers@nysd.uscourts.gov to receive log-in details.

SO ORDERED.

Dated: March 7, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'Dale Ho', is written above a horizontal line.

DALE E. HO
United States District Judge